

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 692 - SB 736

March 11, 2015

SUMMARY OF BILL: Removes Class A misdemeanor for a second and subsequent offense of operating a motor vehicle on a cancelled, suspended, or revoked driver license.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- The current penalty for a Class A misdemeanor offense is punishable by up to eleven months, twenty-nine days in jail and/or a fine of up to \$2,500.
- The bill removes the Class A misdemeanor penalty for second and subsequent offenses of operating a motor vehicle on a cancelled, suspended, or revoked driver license, when the offender does not also commit an offense of vehicular assault, vehicular homicide, or DUI.
- The bill does not remove the penalty of mandatory jail time of not less than 45 days and no more than one year, for operating a motor vehicle on a cancelled, suspended, or revoked driver license, when the person does also commit an offense of vehicular assault, vehicular homicide, or DUI.
- It is assumed, most if not all, persons charged with a second and subsequent offense of driving without a valid license, which do not also commit an offense of vehicular assault, vehicular homicide, or DUI, will not be incarcerated under the provisions of the bill or under current law. Therefore, no change in incarceration costs.
- No data could be obtained for the number of persons that pay a fine up to \$2,500. Given the relatively costly fine, it is assumed that most individuals charged with a violation of driving on a cancelled, suspended, or revoked driver license will not be able to pay the fine due to indigence or other economic reasons. However, to the extent some fines are being paid under current law, this fine revenue would not be collected under the provisions of the bill.
- Based on information provided by the Department of Safety and the Administrative Office of the Courts, it is assumed that little fine revenue, if any, is currently being collected from individuals so charged. As a result, any change in fine revenue currently collected by state and local government is estimated to be not significant.

CERTIFICATION:

HB 692 - SB 736

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is written in a cursive, flowing style with a large initial "J".

Jeffrey L. Spalding, Executive Director

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